UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
'08 MAY 22 AM 11:11
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES OF AMERICA,	)	Magistrate Case No. '08 MJ 1602
Plaintiff,	)	
v.	)	COMPLAINT FOR VIOLATION OF:
	)	Title 8, U.S.C., Section 1326;
Jesus MATURINO-Molina	)	Deported Alien Found in the United States
Defendant.	)	

The undersigned complainant, being duly sworn, states:

On or about, **May 16, 2008**, within the Southern District of California, defendant, **Jesus MATURINO-Molina**, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Lisette Guzman, Deportation Officer
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **22nd** DAY OF **May 2008.**

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

On May 16, 2008, the defendant identified as Jesus MATURINO-Molina was arrested in San Marcos, California by the San Diego Sheriff's Department for violation of 647(F)PC "DISORDERLY CONDUCT: DRUNK" and booked into Vista Jail. On May 17, 2008, an Immigration Enforcement Agent with Immigration and Customs Enforcement determined the defendant to be a citizen of Mexico and placed a Form I-247 "Immigration Detainer" pending his release from local custody.

On Wednesday, May 21, 2008, at approximately 4:00 a.m. the defendant was referred to the custody of the United States Immigration and Customs Enforcement (ICE). A Deportation Officer reviewed various sources of information and conducted official record checks in regards to the defendant confirming him to be a citizen of Mexico having been previously removed from the United States.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant was most recently ordered removed from the United States by an Immigration Judge on or about August 25, 1998 and physically removed to Mexico on or about August 25, 1998 via the Otay Mesa Port of Entry. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System "IDENT" and Automated Fingerprint identification System "IAFIS" were utilized and compared the defendant's fingerprints to those contained in these databases. The results confirmed the defendant's identity as Jesus MATURINO-Molina, a citizen and national of Mexico. A photograph and a set of fingerprints contained within the official Alien Registration File were also reviewed and compared to the defendant, further confirming his identity.